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Attorneys for Nonparty
 EDGAR, DUNN & COMPANY

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION**

DISCOVER FINANCIAL SERVICES, INC.

Plaintiff,

– against –

VISA U.S.A. INC., VISA INTERNATIONAL
 SERVICE ASSOCIATION, MASTERCARD
 INCORPORATED and MASTERCARD
 INTERNATIONAL INCORPORATED,

Defendants.

: Case No. 3:07-mc-80096 PJH (EMC)
 :
 : Case Pending in S.D.N.Y.:
 :
 : Case No. 04 Civ. 7844 (S.D.N.Y.)(BSJ)
 :
 :
 : **STIPULATION & [PROPOSED]**
 : **ORDER REGARDING SCHEDULE**
 : **FOR BRIEFING AND EXPEDITED**
 : **HEARING ON DISCOVER'S**
 : **MOTION TO COMPEL NONPARTY**
 : **EDGAR, DUNN & COMPANY**

AMERICAN EXPRESS TRAVEL RELATED
SERVICES COMPANY, INC.

Plaintiff,

– against –

VISA U.S.A., INC. *et al.*

Defendants.

IT IS HEREBY STIPULATED AND AGREED by and among undersigned counsel for Plaintiff Discover Financial Services, Inc. (“Discover”) and nonparty Edgar, Dunn & Company (“EDC”) that the briefing and hearing schedule for the resolution of Discover’s Motion to Compel Compliance with Subpoena *Duces Tecum* by Nonparty Edgar, Dunn & Company shall be as follows. EDC shall file and serve its Opposition on or before April 19, 2007. Discover shall file and serve its Reply on or before April 25, 2007. The hearing on the Motion shall take place on ~~April 30, 2007~~ at _____ m. [May 2, 2007 at 10:30 a.m.].

IT IS SO ORDERED.

Dated: April 13, 2007

Respectfully submitted,

\s\

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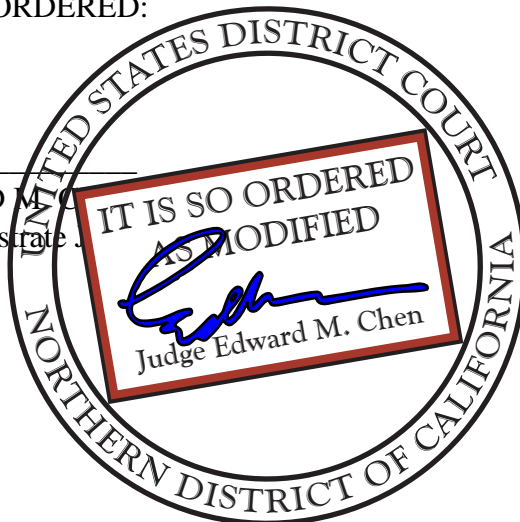
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IT IS SO ORDERED:

EDWARD M. CHEN
U.S. Magistrate Judge



CERTIFICATE OF SERVICE

I, ADAM NYHAN, am over the age of eighteen years and not a party to the above-referenced actions. I am an employee of Constantine Cannon LLP, 450 Lexington Avenue, 17th Floor, New York, NY 10017.

On April 13, 2007, I caused the following to be served:

• **STIPULATION & [PROPOSED] ORDER REGARDING SCHEDULE FOR BRIEFING AND HEARING ON DISCOVER'S MOTION TO COMPEL NONPARTY EDGAR, DUNN & COMPANY**

via e-mail and first-class mail to the following nonparty:

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Executed on April 13, 2007, at New York, New York.

\s/
Adam Nyhan